

**AMENDMENT TWO TO THE FTC'S  
PERFORMANCE WORK STATEMENT FOR A  
NATIONAL DO-NOT-CALL REGISTRY  
(Solicitation Number 29-2-Q-0026)**

**SECTION C-1. GENERAL INFORMATION**

The Federal Trade Commission ("FTC") through its Bureau of Consumer Protection ("BCP") is responsible for promulgating and enforcing the Telemarketing Sales Rule, 16 C.F.R. Part 310 ("TSR"). As part of its ongoing Rule review process, the FTC published a Notice of Proposed Rulemaking to amend the TSR in numerous respects and to request public comment on the proposed changes. 67 Fed. Reg. 4492 (Jan. 30, 2002) ("the Rule NPR"). Among other provisions, the Rule NPR proposed to establish a national "do-not-call" registry, maintained by the FTC. The proposal, if adopted, would permit consumers who prefer not to receive telemarketing calls to contact one centralized registry to effectuate this preference. Telemarketers subject to the FTC's jurisdiction would be required to refrain from calling consumers who have placed their telephone numbers on this registry.

The Commission has not made a final determination regarding whether to establish a do-not-call registry or on the parameters of any such registry. In addition, the project start is also dependent on the availability of funds. Funding has been requested of Congress for this project in the President's budget, but has not yet been appropriated.

**C-1.1. Scope of Work.** Except as specified in Section C-3 as government-furnished property and services, the contractor must provide all personnel, equipment, tools, materials, supervision and other items and services necessary to develop, implement and operate a national do-not-call registry as defined in this Performance Work Statement ("PWS"). The contractor must perform to the standards set forth in this contract. (*See* Second Amended Technical Exhibit One, Performance Requirements Summary.) The estimated quantities of work are listed in Second Amended Technical Exhibit 2, Workload Estimates.

**C-1.2. Contractor Personnel.**

**C-1.2.1. Contract Manager.** The contractor must provide a contract manager who shall be responsible for the performance of the work. The name of this person, and an alternate or alternates who shall act for the contractor when the contract manager is absent, shall be designated in writing to the contracting officer.

C-1.2.1.1. The contract manager or alternate(s) shall have full authority to act for the contractor on all contract matters relating to the daily operation of this contract.

C-1.2.1.2. The contract manager or alternate(s) shall be available Monday through Friday, except Federal holidays, between 9:00 am and 5:00 pm, within 60 minutes of notification to meet or talk with government personnel designated by the Contracting Officer Technical Representative ("COTR") to

discuss problem areas. Outside of those hours, the contract manager or alternate(s) shall be available within four hours.

C-1.2.1.3. The contract manager and alternate(s) must be able to read, write, speak, and understand English.

**C-1.2.2. Contractor Employees.** The contractor shall not employ any person who is an employee of the U.S. Government if employing that person would create a conflict of interest. Additionally, the contractor shall not employ any person who is an employee of the FTC, unless such person receives FTC approval for such employment.

C-1.2.2.1. The contractor shall not employ persons to work on this contract if such applicant is a potential threat to the health, safety, security, general well being of other persons, or the operational mission of the FTC.

**C-1.2.3. Clearance Requirements for Contractor Personnel.**

C-1.2.3.1. Authority. Because contractor personnel shall have access under this contract to sensitive agency data subject to strict security controls, the clearance procedures set forth in this section are necessary and shall be used to determine the suitability of such individuals for such purposes, under the following authorities: the Computer Security Act of 1987, Pub. L. No. 100-235, which requires agencies to develop security plans for the operation of Federal computer systems that contain sensitive information; NIST Publication SP 800-4 (1992) (Computer Security Considerations in Federal Procurements); the Privacy Act, 5 U.S.C. 552a, which requires agencies to establish procedures and safeguards to protect agency systems of records pertaining to individuals; and Office of Personnel Management regulations relating to background investigations of contractor personnel, 5 C.F.R. Part 736.

C-1.2.3.2. Applicability. The clearance requirements in this section apply to all individuals who have access, in any manner, to any of the data or payment information gathered or maintained by the contractor as part of this contract.

C-1.2.3.3. Forms submission. Each individual employed or otherwise retained by the contractor to fulfill the contract positions or duties designated in section C-1.2.3.2 above must complete a confidentiality agreement form, set forth in Attachment A, and submit such completed form to the COTR at least five working days before that individual may begin work or be given access to any agency records, data or information in connection with this contract.

C-1.2.3.4. Each individual employed or otherwise retained by the contractor to fulfill the contract positions or duties designated in section C-1.2.3.2 above also must complete Form FD-258 ("Fingerprinting Chart") and Optional Form ("OF") 306 ("Declaration for Federal Employment," included as Attachment B, answering Questions 1, 7-12, 15, and 16a only). To prevent tampering or

falsification, the Form FD-258 must be completed and submitted in person at locations and under conditions determined and designated by the FTC. The contractor shall be responsible for all costs associated with completing the forms specified in this section. Completed forms shall be submitted to the COTR, without alteration or changes to said forms, at least ten working days before the individual may begin work or be given access to any agency records, data or information in connection with this contract.

C.1.2.3.5. In addition to the above forms, individuals employed or retained by the contractor to fulfill contract positions or duties for 180 days or more, and any individual designated to fulfill certain sensitive contract positions or duties as determined by the FTC's Security Officer, shall be required to submit to the COTR one SF85 (Attachment C) or SF85P (Attachment D), and any additional investigative forms, based on a risk determination by the FTC Security Officer that shall take into account the sensitivity level of the contract position or duties assigned to the individual, the individual's access, if any, to nonpublic or confidential information, and any other relevant considerations. The individual must submit these additional forms to the COTR at least five working days before such individual is scheduled to start work or to obtain access to agency records, data or information under the contract.

C-1.2.3.6. Background investigations. The FTC Security Officer shall screen all forms for any adverse or derogatory information, as denoted, for example, by a "yes" to questions 8-12, by additional information in Block 15 on the OF 306, or by information on any additional forms that may be required, as discussed above. If the individual has any adverse or derogatory information, the FTC shall conduct a background investigation before the individual is permitted to begin work or be given access to agency records, data, or information under this contract. The background investigation may be conducted in cooperation with or with the assistance of other relevant government agencies or entities, including, but not limited to, OPM, including referral to appropriate law enforcement authorities in the event of material falsification or other evidence of unlawful conduct. To the extent agency records pertaining to these background investigations are subject to the Privacy Act, such records shall be maintained and used in accordance with the applicable Privacy Act system notice(s) pertaining to the agency's personnel background investigations. (Note: Neither the maintenance of such records in the above-described system(s), nor the fact that this contract requires individuals to complete certain forms or submit to background investigations that may also apply to FTC employees, shall be deemed to render such an individual a Government or FTC employee in any manner.)

If, as a result of a background investigation, significant adverse or derogatory information is found that may result in an unsuitability determination, the FTC Security Officer shall notify the COTR and the relevant individual. The individual shall be notified in writing (Statement of Reasons) of the derogatory information and shall have 30 days to respond or dispute the results of the investigation. If the FTC Security Officer, after receiving the individual's response, still determines that the individual is unsuitable to fulfill the contract position or duties in question, the individual shall be notified in writing of that final determination and disqualification.

The government shall have and exercise full and complete control over these suitability determinations. The government may, as it deems appropriate, authorize and grant temporary access and/or interim clearance to employees of the contractor. However, the granting of temporary access and/or interim clearance to any such individual shall not be considered as assurance that a fully favorable suitability determination shall follow as a result or condition thereof, and the granting of either temporary access and/or interim clearance shall in no way prevent, preclude or bar the withdrawal or termination of any such access or clearance by the government. Failure of an individual to follow the required procedures by this contract may result in suspension/termination of such individual's FTC clearance/access.

C-1.2.3.7. Replacement contractor personnel. The contractor must provide qualified replacements to the extent necessary to maintain performance under the contract. For example, pending resolution of any suitability issues, contractor personnel may be removed from contract duties; if such an individual is so removed, the contractor shall provide a qualified temporary replacement pending resolution of the suitability issue. The procedures set forth in this section shall apply to all individuals serving as replacement contractor personnel, who shall be required to submit all required forms within the time period(s) specified by these procedures, and must agree to any resulting background investigations, before starting work or obtaining access to agency records, data or information under the contract. Where appropriate, the FTC Security Officer may, in his/her discretion, waive these procedures in whole or part (see below, "Successor contractors").

C-1.2.3.8. Successor contractors. If the contractor is subsequently replaced under this contract by another contractor, through assignment of the contract or otherwise, all individuals employed, carried over, or otherwise retained by the successor contractor to fulfill the contract positions or duties designated in section C-1.2.3.2 above shall be required to apply for and obtain suitability approval under the security procedures set forth in this section, regardless whether such individual(s) may have already obtained such approval when employed or otherwise retained by the previous contractor to fulfill the same or other contract position or duties. The FTC Security Officer, at his/her discretion, may waive this requirement, in whole or part, for any individual carried over from a previous contractor if the individual was determined suitable by the FTC within the last three years, or if the Security Officer otherwise determines that it is unnecessary for the individual to obtain a new suitability determination under these procedures.

C-1.2.3.9. All individuals required to obtain a suitability determination under this contract must obtain a new FTC suitability determination every five years; this requirement shall not be waived except in extraordinary circumstances, as determined by the FTC. Each such individual must inform the FTC of changes in any information or documentation that was previously submitted by or on behalf of such individual to obtain clearance under this section C-1.2.3. Failure to do so may result in immediate removal or disqualification of the individual from contract duties.

C-1.2.3.10. FTC Identification Card/Building Pass. For contracts anticipated to exceed 30 days that require employees of the contractor to be present on a regular basis in any FTC building, the contractor shall, through coordination with the COTR, ensure that all such contractor personnel are issued FTC Contractor Identification Cards/Badges before they enter duty or have access to any agency records, data or information. The contractor shall ensure that its employees display their FTC Contractor Identification Cards/Badges at all times; and that all such Cards/Badges are returned to the COTR as contractor personnel are dismissed or terminated, and upon the expiration of the contract or applicable work order, whichever is earlier. All FTC Contractor Identification Cards/Badges shall have an expiration date of no more than one year from the issue date or from the contract expiration date, whichever period is shorter.

### **C-1.3. Quality Control.**

C-1.3.1. The contractor must provide a Quality Control Plan that contains, at a minimum, the items listed in C.1.3.2 to the COTR for acceptance not later than the pre-performance conference. The COTR will notify the contractor of acceptance or required modifications to the plan before the contract start date. The contractor must make appropriate modifications and obtain acceptance of the plan by the COTR before the contract start date.

C-1.3.2. The Quality Control Plan must include:

C-1.3.2.1. A description of the inspection system that will be used to evaluate all services listed in Section C-5, Specific Tasks. This description shall include, at a minimum, all steps involved in spot-checking the accuracy of the consumer registration and telemarketer access information collected and maintained by the contractor, and the timeliness of responding to both consumer registration requests as well as telemarketer and law enforcement requests to access registry data;

C-1.3.2.2. A description of the methods to be used for identifying and preventing defects in the quality, including timeliness, of services performed; and

C-1.3.2.3. A description of the records to be kept to document inspections and corrective or preventative actions taken by the contractor under its quality control plan. These records of inspections and actions taken must be kept by the contractor and made available to the contracting officer upon request throughout the contract performance period and for the period after contract completion until the final settlement of any claims under this contract.

### **C-1.4. Quality Assurance.**

C-1.4.1. As stated in Second Amended Technical Exhibit One, the Performance Requirements Summary ("PRS"), the government will evaluate the contractor's performance under this contract. For those tasks listed in the PRS (Second Amended Technical Exhibit One), the COTR or evaluators will follow the methods of surveillance specified in this contract. Government personnel will record all surveillance observations. When an observation indicates defective performance, the COTR will

forward the observation to the contract manager or alternate, who must initial the observation. The initialing of the observation does not necessarily constitute concurrence with the observation, only acknowledgment that he or she has been made aware of the defective performance. Government surveillance of tasks not listed in the PRS or by methods other than those listed in the PRS may occur during the performance period of this contract. Such surveillance will be done according to standard inspection procedures or other contract provisions. Any action taken by the contracting officer as a result of surveillance will be in accordance with the terms of this contract.

C-1.4.2. Performance Evaluation Meetings. The contracting officer may require the contract manager to meet with government personnel as deemed necessary. The contractor may request a meeting with the contracting officer when he or she believes such a meeting is necessary. At a minimum, the contract manager and contracting officer (or other government personnel, as deemed necessary) must meet quarterly to discuss the ongoing operation of the contract. The contractor must prepare written minutes of such meetings, which shall be recorded in the contract file. The contract manager and the contracting officer must sign the minutes or provide in writing their nonconcurrence within three calendar days following receipt of the minutes.

**C-1.5. Physical Security.** The data systems developed and operated by the contractor must be designed to protect data from unauthorized access or alteration. Adequate data protection includes the following discrete requirements:

- Allow entry into the systems only to authorized individuals and only during authorized times;
- Maintain a history of password changes over a specified amount of time, including changes and lost passwords, and preclude the consecutive use of the same password;
- Require the use of unique user identifications and passwords for authentication purposes. Passwords must be non-printing and non-displaying. The system must allow the enforcement of password standards (minimum length of eight characters with a combination of alphanumeric and special characters (e.g., b4time%\*)). The system must: (1) allow for the establishment of a specified period for password expiration to provide changes on a regular basis; (2) accommodate prohibiting the user from reusing recent passwords; and (3) permit periodic password change, at the option of the user, and mandatory password change, at the option of the system administrator after a specific period of time;
- Maintain an audit logging capability to record access activity including time and date of use, type of transaction, all log-in/log-out attempts, user submitted transactions, initiated transactions, system override events, and direct additions, changes or deletions to application maintained data;
- Limit the capability to select functions (i.e., data entry and approval), as well as have the capability to define functional access rights (e.g., to modules, transactions, approval authorities) and data access rights (e.g., record, create, read, update and delete) by assigned user ID,

functional role and owner organization. User profiles can be accessed, deleted, modified or changed by the system administrator;

- Allow the system administrator to restrict access to sensitive data elements (i.e., banking information) by named user, groups of users, or functional role;
- Prevent payment transactions from being voided after consumer registration data has been accessed;
- Limit access to both data files and programs by individuals attempting to access them through the system and through access methods external to the system for other than the database administrator via integrated security features;
- Alert and record when invalid access attempted or when the user ID limit is exceeded;
- Prevent the alteration of financial data except through the posting of transactions that are entered through the normal edit and update process under proper security; and
- Provide the ability to query the audit log by type of access, date and time stamp range, user identification or access point.

**C-1.6. Hours of Operation.** Except as otherwise set forth in this contract, the contractor must take reasonable steps to ensure automated access to the national do-not-call registry by consumers, telemarketers and law enforcement agents 24 hours per day, seven days per week, 52 weeks per year. For those tasks which may involve a live operator (for example, Sub-Task 2-5, telemarketer assistance), the contractor must provide such service during normal business hours.

**C-1.7. Records.** The contractor shall be responsible for creating, maintaining and disposing of only those government required records that are specifically listed in this PWS. If requested by the contracting officer or COTR, the contractor shall provide the original record, or a reproducible copy of such record, within three working days of receipt of the request. This contract specifically incorporates the “Rights in Data - Special Works” clause contained in FAR 52.227-1(d), which states: “Except as otherwise specifically provided for in this contract, the contractor shall not use for purposes other than the performance of this contract, nor shall the contractor release, reproduce, distribute, or publish any data first produced in the performance of this contract, nor authorize others to do so, without written permission of the Contracting Officer.”

**C-1.8. Compliance With Section 508 of the Rehabilitation Act of 1973.** To the extent that this contract involves the development, procurement, maintenance or use of electronic and information technology by a Federal agency, it is subject to the requirements of Section 508 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794d, and the disability access standards issued thereunder by the Architectural and Transportation Barriers Compliance Board (“Access Board”), 36 C.F.R. Part 1194. In particular, when members of the public seek information or services from a Federal agency,

Section 508 requires that the agency ensure that technology developed, procured, maintained or used by the agency allows individuals with disabilities to have access to and use of information and data that is comparable to the access and use provided to members of the public who are not individuals with disabilities, unless an undue burden would be imposed on the agency; in such cases, individuals with disabilities must be provided alternative means of access that allows them to use the information and data.

C-1.8.1. Accordingly, proposals shall be evaluated for Section 508 compliance, to the extent it applies to the proposed scope of work described in Section C-5 below. For evaluation purposes, Section 508 shall be considered to apply to all requirements of this contract. Vendors are advised to review Subparts B, C, and D of the Access Board standards for specific technical standards, functional performance criteria, and end-user information, documentation and support. 36 C.F.R. §§ 1194.21 through 1194.41.

C-1.8.2. For purposes of this contract, relevant standards include, but are not limited to, Section 1194.23 (Telecommunications products), which states, among other things:

- (b) Telecommunications products which include voice communication functionality shall support all commonly used cross-manufacturer non-proprietary standard TTY signal protocols.
- (c) Voice mail, messaging, auto-attendant, and interactive voice response telecommunications systems shall be useable by TTY users with their TTYs.
- (d) Voice mail, messaging, auto-attendant, and interactive voice response telecommunications systems that require a response from a user within a time interval, shall give an alert when the time interval is about to run out, and shall provide sufficient time for the user to indicate more time is required.

C-1.8.3. Proposals shall be supported by adequate and appropriate documentation if it is claimed that no commercial product is available to enable compliance or that compliance would otherwise impose significant difficulty or expense. In such cases, the proposal must also explain the alternative means of access to information and data to be provided to people with disabilities in lieu of compliance.

**C-1.9. FAR Clauses.** The following FAR clauses are incorporated by reference into the RFQ: 52.224-1 Privacy Act Notice; 52.224-2 Privacy Act Notification; 52.244-2 Subcontracts; 52.244-6 Subcontracts; and 52.227-14, Alternate III.

## **SECTION C-2. DEFINITIONS**

C-2.1. “Completed registration request” means each successful integration into the national registry of all information provided by a consumer as set forth in Sub-Task 1-1, or each successful request by a



consumer to remove a telephone number from the registry or re-register a telephone number, as set forth in Sub-Task 1-4.

C-2.2. “Defective service” means a service output that does not meet the standards of performance requirement specified in the contract for that service.

C-2.3. “Normal business hours” means 8:00 am to 8:00 pm Eastern Standard Time, Monday through Friday, 52 weeks per year, except for federal government holidays.

C-2.4. “Performance requirement” means the point that divides acceptable and unacceptable performance of a task according to the Inspection of Services clause. It sets forth the maximum percentage of defective service that is acceptable.

C-2.5. “Quality assurance” means a planned and systematic pattern of all government actions necessary to provide confidence that adequate technical requirements are established, products and services conform to established technical requirements, and satisfactory performance is achieved.

C-2.6. “Quality control” means those actions taken by the contractor to control the production of outputs to ensure that they conform to the contract requirements.

C-2.7. “Valid processed consumer complaints” means information, provided by a consumer indicating a problem concerning compliance with the FTC’s do-not-call requirements of the TSR, that is gathered by the contractor pursuant to Sub-Task 4-1 and successfully transferred to the FTC pursuant to Sub-Task 4-2. The term does not include those contacts by a consumer which are determined to be invalid complaints, as outlined in Paragraph C-5.5.1.1.

### **SECTION C-3. GOVERNMENT-FURNISHED PROPERTY AND SERVICES**

C-3.1. The government will provide the services and materials listed here to the contractor for use in performing the requirements of this contract:

C-3.1.1. Telephone Number. The government will provide the contractor with the telephone number, but not the long distance service, to be used by consumers to access the national registry.

C-3.1.2. Website URL. The government will provide the contractor with the URL for the contractor's website to be used for consumer Internet registration requests (Sub-Task 1-1, Paragraph C-5.2.1.3) and consumer complaints (Sub-Task 4-1).

C-3.1.3. Cash Management System. The government will provide the contractor, via the United States Treasury, with a cash management system for telemarketer user fee transactions. *See* Sub-Task 2-3, Paragraph C-5.3.3.1.

## **SECTION C-4. CONTRACTOR-FURNISHED PROPERTY AND SERVICES**

C-4.1. Except for those items or services specifically stated in Section C-3 as government furnished, the contractor shall furnish everything needed to perform the contract according to all of its terms.

## **SECTION C-5. SPECIFIC TASKS**

**C-5.1. General Information.** The contractor must develop, implement and operate a national do-not-call registry which will permit United States consumers to register their preference not to receive telemarketing calls at the registered telephone numbers. The specific tasks in this contract are divided into four main parts: consumer registration; telemarketer and seller access; law enforcement access; and consumer complaint processing. All parts are mandatory requirements.

C-5.1.1. **Implementation Schedule.** The contractor must not start work under this contract until it receives written notification to do so from the contracting officer ("the notification date"). Thereafter, the contractor must develop the consumer registration component of the PWS (Task One), and be prepared to accept the first consumer registration requests, within four months after the notification date. The contractor must develop and implement the remaining components of the PWS (Tasks Two, Three and Four) within six months after the notification date. This schedule does not preclude delivery of a complete system within four months or sooner.

C-5.1.2. The contractor must submit to the FTC the following two status reports on its progress towards meeting the implementation schedule: (1) a report describing the functionality of system development must be provided within two months after the notification date; and (2) a report describing the final detailed design of the system must be provided within three months after the notification date.

C-5.1.3. **Spanish Language Availability.** In each task set forth in the PWS in which the contractor's system must communicate with consumers, either orally or via the Internet, the contractor must provide for a Spanish language alternative for such communications.

**C-5.2. Task One: Consumer Registration.** The contractor must develop and provide a secure, user-friendly system to: (1) collect appropriate registration information from consumers; (2) accept registration information from States that maintain their own registries; (3) integrate that information into a secure database; (4) permit consumers to confirm or alter their registration information, and (5) provide to the FTC reports and access to the data regarding registration information.

**C-5.2.1. Sub-Task 1-1: Collect Registration Information From Consumers.** The contractor must develop and provide an automated, secure and user-friendly system that will allow United States consumers to contact a single, nationwide toll-free telephone number to register their preference not to receive telemarketing calls. The only information to be obtained from consumer registrants is the consumer's telephone number. The contractor must use a system that will verify, at a minimum, that the consumer is calling from the telephone number he or she is attempting to register, using automatic number identification ("ANI") or a comparable verification system.

C-5.2.1.1. The FTC cannot predict the number of consumers that may avail themselves of this registration option. States that have developed similar do-not-call registries have experienced consumer registration rates ranging from a few percent to over forty percent of the residential telephone lines in the State registering with the State system. The contractor's system must have the flexibility to handle at least that potential volume of consumer registration requests, which may include wireless telephone numbers in addition to residential telephone lines.

C-5.2.1.2. To avoid a huge surge of calls when the proposed registry is initially opened, the FTC anticipates opening the registry to United States consumers in geographic phases over a period of weeks. The contractor's system must be capable of handling such a phased opening.

C-5.2.1.3. The contractor must supplement the telephone consumer registration system with a secure, user-friendly website registration system as well. Consumers will access the contractor's website established for this purpose either through a link on the FTC's website, located at [www.ftc.gov](http://www.ftc.gov), or directly to the contractor's site. In either case, the FTC will provide to the contractor the URL for the contractor's website. The contractor must obtain and save only the consumer's telephone number through this website registration, but may inquire about (but should not save) the consumer's address for verification purposes. The contractor must identify the methods it would use to verify the identity of the person submitting the information through the website, remaining mindful that the FTC wishes to collect the minimum personal identifying information from consumers that is necessary. The contractor may not request a credit card or bank account number from consumers solely for this verification.

C-5.2.1.4. Two acceptable verification methods for the website consumer registration system are as follows: (1) Consumers enter their telephone numbers on the website. The contractor looks up that

information in a database. Consumers would then be asked to enter their street address and zip code. If the street address number and zip code match the information in the contractor's database, the registration would be confirmed with the consumer and entered into the national registry; or (2) After entering their telephone numbers on the website, consumers would also be asked to enter their email addresses. Within a few minutes after that entry is made, the contractor sends an email to those addresses, notifying the recipients of the pending registration and asking the recipients to return to the website to confirm their registration. (The contractor may provide an Internet link or website address in its email to assist consumers in returning to the website.) If the consumers return to the website and confirm their desire to register their telephone numbers, those telephone numbers would be entered into the national registry. If the contractor uses this second verification method, it must also provide some monitoring system to prevent the excessive, repeated use of the same email address to verify consumer registrations.

C-5.2.1.5. The consumer's registration in the national registry will expire after five years. The contractor's system must maintain the expiration date for each consumer registration, must provide only current consumer registrations to telemarketers and sellers, and must provide expiration information to law enforcement personnel. Consumers will be required to re-register at the end of their registration period, if they wish their telephone number(s) to remain in the national registry.

C-5.2.1.6. The contractor's telephone registration system must greet consumers calling the national registry with a brief, introductory message that varies based upon the State where the consumer is calling from. For example, consumers calling the national registry from Missouri would be greeted with a message such as, "Welcome to the national do-not-call registry, brought to you by the Attorney General for the State of Missouri and the Federal Trade Commission."

C-5.2.1.7. The contractor's telephone registration system must allow for a brief consumer education message, not to exceed twenty seconds, to be played to consumers following the successful completion of their registration request. The FTC will develop this educational message in coordination with the contractor. This message could change up to four times per year. In addition, the contractor's website registration system must provide for the capability to link to, or to post, consumer education materials that will be provided by the FTC.

C-5.2.1.8. The contractor must obtain the FTC's approval of the design, content and functionality of any consumer registration system developed by the contractor under Sub-Task 1-1 prior to deployment.

**C-5.2.2. Sub-Task 1-2: Integrate State and Possibly Association Consumer Registration Information.** The contractor must develop and provide a system that will accept and integrate into the

national registry the telephone numbers of consumers who have registered through the States that currently maintain their own do-not-call registries, and possibly the Telephone Preference Service (“TPS”) registration list maintained by the Direct Marketing Association (“DMA”). Currently, at least twenty States have do-not-call registries, with two more State registries scheduled to begin operation as of January 1, 2003. These State registries currently include over 7.5 million telephone numbers, while the DMA TPS registry includes over 4.5 million numbers.

C-5.2.2.1. The files transferred from the States will be formatted according to Extensible Markup Language (“XML”), a language that is commonly used in data exchange interfaces. The file format for the XML transaction with the Header information will be supplied to the selected vendor upon award. The Document Type Definition (“DTD”) or XML schema for the batch process will also be supplied at that time. Data definitions for the data elements are in the table below.

<b>Name</b>	<b>Attribute</b>	<b>Comments</b>
created_date	DATE NOT NULL	The date that this record was created.
state_code	VARCHAR2(5)	A code which uniquely identifies a State such as VA.
home_area_code	VARCHAR2(5)	The consumer’s telephone number area code.
home_exchange	VARCHAR2(7)	The consumer’s telephone number exchange.
home_phone_number	VARCHAR2(8)	The last four digits of the consumer’s telephone number.
updated_date	DATE	The last date that this record was updated.

Table 1. Consumer Registration Data Definition

C-5.2.2.2. The number of States that are legally capable of, and interested in, transferring their consumer registration data to the national registry at this time is uncertain. All State and possibly DMA registration information received by the contractor within five months after the notification date must be integrated into the national registry at least ten business days before telemarketers are first provided access to the system. The FTC will communicate this deadline to the States and the DMA. Not all States that have their own do-not-call registries will transfer their data by that deadline, however. As a result, initial registration information received from any State (or the DMA) after this deadline must be integrated into the national registry no later than fifteen days after the date that data is received by the contractor. The national registry will accept from the States and the DMA only the consumers’ telephone numbers.

C-5.2.2.3. After accepting an initial transfer of data from any State or the DMA, the contractor must accept from those States and possibly from the DMA, on at most a quarterly basis, smaller files of consumer telephone numbers of consumers who sign up with the States and the DMA in the future.

See Section C-5.2.2.1 for data transfer description. The number of such quarterly transfers of updated data is uncertain, although that number will decline over time and end after, at most, three years.

C-5.2.2.4. The contractor must develop a system to export to those States that request the information, on at most a quarterly basis, the State-specific portion of the national registry, so that data may be included in State registries. Data will be transferred in the same format and with the same definitions as described in Section C-5.2.2.1. The number of such exports that will need to be performed is uncertain, and may be very low.

**C-5.2.3. Sub-Task 1-3: Maintain Registration Information in a Database.** The contractor must develop and provide a secure database that includes the telephone numbers collected from consumers during the registration process (or accepted from the State and possibly DMA registries), the date of the registration, and the date of expiration of the registration. For records imported from the States or the DMA pursuant to Sub-Task 1-2, the date of registration will be the date the record was transferred to the national registry. The contractor must ensure that information in the database is capable of being sorted, at a minimum, by area code, by telephone number prefix and by full telephone number. Finally, the contractor must maintain all information collected for a period of either two years from the date the information was collected or altered in any manner, or two years after the expiration of the consumer's registration, whichever is later.

**C-5.2.4. Sub-Task 1-4: Permit Consumer Confirmation or Alteration of Registration Information.** The automated registration systems developed by the contractor must be capable of permitting consumers to confirm if and when their telephone numbers were registered in the system, and when their registrations will expire. The system must also be capable of permitting consumers to remove their telephone numbers from the registry or to re-register their telephone numbers.

C-5.2.4.1. The consumer confirmation and alteration options set forth in paragraph C-5.2.4 must be performed over both the automated telephone registration system and website registration system described in Sub-Task 1-1. Any confirmation or alteration procedure used by the contractor must have at least the same level of verification of the consumer's identity as the original registration process. See paragraphs C-5.2.1, C-5.2.1.3 and C-5.2.1.4.

**C-5.2.5. Sub-Task 1-5: Update Consumer Registration Information.** The contractor must, on a periodic basis, remove from the national registry the telephone numbers of those consumers who have either moved to a new residence or whose telephone numbers have been disconnected.

C-5.2.5.1. The contractor must maintain for FTC and law enforcement review, in the law enforcement access website developed pursuant to Task Three, the consumer registration information that had been removed from the national registry under Sub-Task 1-5, as well as the date when the information was removed, for a period of two years from the date the information was removed.

**C-5.2.6. Sub-Task 1-6: Provide Reports and Access to Data Regarding Registration**

**Information.** The contractor must provide periodic reports, sent via email in XML Format, to the COTR or any FTC personnel designated by the COTR, concerning the consumer registration information gathered by the national registry. At a minimum, the reports must include the following:

C-5.2.6.1. Weekly registration status reports. The contractor must provide, before noon Eastern Standard Time on the first work day of every week, a report indicating, both in total and within each State, the number of consumers who have registered during the previous week and since the initiation of the registry, their method of registering (either telephone or Internet), and the number of consumers who delete or change their registrations.

C-5.2.6.2. Weekly call analysis reports. The contractor must provide, before noon Eastern Standard Time on the first work day of every week, a report indicating the number of telephone calls they received from consumers under this contract during the previous week, the number of calls answered, the number of calls that were unable to be answered, the number of calls abandoned before hearing the main menu, the average time callers heard ringing before the call was answered, the time(s) the switch was at capacity, the services and/or information that were accessed during the call, the average length of calls, and the distribution of calls by time of day and day of the week received.

C-5.2.6.3. Weekly website analysis reports. The contractor must provide a report, similar to the weekly call analysis reports required under section C-5.2.6.2, for the website registration method.

C-5.2.6.4. Monthly removal reports. The contractor must report to the FTC, on a monthly basis, the number of consumer registrations removed from the registry, both in total and within each State.

C-5.2.6.5. Data transfer reports. The contractor must provide, on a weekly basis, a report on the number of consumer registration records transferred either from or to each of the States (broken down by State), and possibly from the DMA, during the previous week.

C-5.2.6.6. Other reports. The contractor must provide, at the COTR's request, periodic reports about performance of the requirements of this contract. In addition, the contractor must provide, on a

quarterly basis, reports on new technology or improved methods for fulfilling the requirements of this contract, including advances in IVR technology.

C-5.2.6.7. The contractor must provide the FTC with a weekly copy of the consumer registration data set, which the contractor can send either via electronic media (CD) or through an electronic transaction. If via CD, data must be in an XML formatted form and password protected. If via electronic transaction, the contractor must follow the process steps described below.

- The batch interface is an Internet-based system that relies on HTTP (HyperText Transfer Protocol) communications as a basis for its request-response mechanism. The file transferred is formatted according to XML.
- The batch interface requires three-core functionality support between the FTC and the national registry. The three high-level functions are: (1) generating and sending of XML files; (2) receiving XML files and validation of results; and (3) parsing and processing XML files. The batch interface relies on XML technologies to carry out its back-end operations. All data transmitted through the system adhere to XML specifications.
- The back-end system configuration consists of Oracle 8.1.7 (UTF-8 enabled, XDK loaded) running of Sun servers with Solaris as the operating system. Verisign certificates are used for authentication. SSL is used for encryption during the data transfer. UTF-8 is an ASCII-compatible multi-byte Unicode and UCS encoding format. XDK is the Oracle XML Developer's Kit.
- The vender operated system performs the data transfer by converting data into XML format and initiating a connection through HTTPS (HyperText Transfer Protocol Secure). When the FTC receives the file, it is validated. Once it passes the validation stage, the file is parsed using an XML parser and undergoes further validation before the data is copied into the FTC database.
- The communication between the FTC and the national registry relies on digital certificates to encrypt data using SSL technology. The SSL security protocol is the industry standard method for protecting web communications and provides data encryption, server authentication, file integrity, and client authentication.
- The file format for the XML transaction with the Header information will be supplied to the selected vendor upon award. The Document Type Definition (DTD) or XML schema for the batch process will also be supplied at that time. Data definitions for the data elements are defined in C-5.2.2.1 (Table 1) and C-5.3.6.5 (Table 2).

**C-5.3. Task Two: Telemarketer and Seller Access to Registry.** The contractor must develop and provide a system that: (1) allows telemarketers and sellers to access consumer telephone numbers



included in the national registry; (2) obtains telemarketer and seller application and fee payment information; (3) provides for the collection and deposit of such fees; (4) provides assistance to telemarketers and sellers that experience problems with the system; and (5) provides to the FTC reports and access to the data regarding telemarketer and seller access and payment.

**C-5.3.1. Sub-Task 2-1: Develop Website to Provide Telemarketer and Seller Access.** The contractor must develop and provide a secure, user-friendly Internet website that will allow telemarketers, on their own behalf or on behalf of their clients, and sellers to request and download selected consumer telephone numbers included in the registry. In addition, the contractor must be able to accomplish all of the tasks involving any interaction with telemarketers and sellers, as required by Task Two of this PWS, through this Internet website.

C-5.3.1.1. The FTC cannot predict the number of telemarketers and sellers that may need to access this website. Most of the States that have developed similar do-not-call registries have fewer than 1,000 telemarketing firms requesting access to their registries. Some States have fewer than 100 firms requesting access. The most telemarketing firms that currently access any individual State registry is approximately 3,000. It is possible that the national registry may experience a significantly increased volume of telemarketer and seller access to the registry. In addition, telemarketers will need to access the national registry on their own behalf and on behalf of their clients. One telemarketer may have hundreds of clients. Moreover, the FTC is likely to allow sellers to access the registry directly, rather than or in addition to obtaining consumer registration information through their telemarketers. The contractor's system must have the flexibility to handle significantly more than the potential volume of telemarketer and seller access to the website cited above.

C-5.3.1.2. The amended TSR may require telemarketers and sellers to access the national registry on at least a quarterly basis. The contractor's system must have the flexibility to handle at least that potential frequency of telemarketer and seller access to the website.

C-5.3.1.3. The contractor must obtain the FTC's approval of the design, content and functionality of the telemarketer access website developed under Sub-Task 2-1.

**C-5.3.2. Sub-Task 2-2: Obtain Telemarketer and Seller Application Information.** The contractor must obtain limited identifying information from telemarketers or sellers on their first visit to the website and before permitting access to any registration data. Such information is to include company name and address, company contact person, that person's telephone number and email address, and the company's electronic payment information. If the telemarketer is accessing the database on behalf of clients, the contractor must obtain similar identifying information about each of its clients. The contractor must also obtain, prior to permitting telemarketer or seller access to any

registration data, a certification from the telemarketer or seller that it is accessing the registry solely to comply with the TSR or otherwise to prevent telephone calls to telephone numbers in the national registry, and/or its clients are using the information gathered on their behalf solely for the same purposes. The FTC will provide the contractor with the appropriate language for the certification prior to the implementation of this task.

C-5.3.2.1. The contractor must obtain from the telemarketer or seller information regarding the portion of the database, by area code, that the telemarketer or seller wishes to access on its own behalf and/or on behalf of any clients.

C-5.3.2.2. The contractor must calculate the appropriate fee to charge to the telemarketer or seller for the requested level of registry access, based upon the fee regulations ultimately established by the FTC. Proposed user fee requirements were set forth in the Notice of Proposed Rulemaking to add a new section 310.9 to the TSR, published in the Federal Register at 67 Fed. Reg. 37362 (May 29, 2002) (“the User Fee NPR”). This proposal may also be found at [www.ftc.gov/os/2002/05/16cfrpart310.htm](http://www.ftc.gov/os/2002/05/16cfrpart310.htm). These proposed fees are subject to change, after FTC review of the comments submitted in response to the User Fee NPR.

C-5.3.2.3. Telemarketers and sellers must pay the fee on an annual basis. Each telemarketer and seller that pays the fee will be provided access to selected area codes in the national registry for a period of twelve months from the month in which it pays the fee (the telemarketer’s “annual period”). Thus, the contractor must collect the appropriate fee from each telemarketer and seller each year, and maintain a record of each telemarketer’s and seller’s annual period, as well as the area codes of data for which the telemarketer and seller has paid for access.

C-5.3.2.4. The User Fee NPR discusses, at 67 Fed. Reg. 37364, the procedures to follow if a telemarketer needs to access registration data from more area codes than those initially selected, either for itself or on behalf of its clients. If such procedures are adopted, a telemarketer or seller must pay the appropriate additional fee for the additional area codes. For purposes of these additional payments, the telemarketer’s and seller’s annual period is divided into two semi-annual periods of six months each. The amount of the fee for the additional area codes varies depending on during which semi-annual period the additional area codes are requested. Thus, the contractor must maintain a record of these additional requests for data, and collect the appropriate fee for any supplemental access requests.

C-5.3.2.5. The contractor must establish a procedure to permit direct access to the database by telemarketers or sellers on subsequent visits. For example, a telemarketer or seller may be provided a unique account number and/or password that would allow it to download immediately the registered consumers’ telephone numbers from the list of area codes requested and paid for by the telemarketer

(including any clients) or seller during its first visit (or requested and paid for in any subsequent visit). However, the contractor must restrict the telemarketer's or seller's access to any other area codes of data. The contractor must also ensure, on each subsequent visit by the telemarketer or seller to the website, that the telemarketer's or seller's fees are current.

**C-5.3.3. Sub-Task 2-3: Provide for the Collection and Deposit of Fee Payments.** The contractor must collect and deposit fees for the FTC according to federal statute and regulation. For examples, *see* 31 U.S.C. 3302 and 31 C.F.R. Part 206. In addition, all fee transactions and deposits must comply with and use established United States Treasury ("Treasury") cash management policies and systems.

C-5.3.3.1. The contractor must protect fees from fraud and abuse, and deposit all fees without delay or deduction into a depository designated by the Treasury. The Treasury maintains a variety of deposit systems for fee deposits of public monies, *e.g.*, Plastic Card Network, Pay.gov, Remittance Express, *et al.* Attachment E contains technical data describing Pay.gov. The contractor must use one or more of these Treasury systems to transact all fees. Telemarketers must not be permitted to download consumer registration data until a proper fee has been collected and the deposit has been confirmed. Advance payments are not permitted.

C-5.3.3.2. The contractor must keep an accurate and timely record of each fee transaction and deposit, and record the user's identification as part of the transaction record. The contractor must also maintain daily reconciliations of individual fee transactions to daily deposits. All records of fee transactions and deposits must strictly comply with generally accepted accounting principles and standards. The contractor must keep records to verify that the fee paid is consistent with the fee schedule established by the Commission. Proper controls must be established to prevent the creation of duplicate transactions.

C-5.3.3.3. The contractor must maintain daily fee reconciliation records at the transaction and deposit level sufficient to provide audit trails and support research activities. Audit trails must trace transactions from their initial source through all stages of system processing. The initial source may be source documents, transactions initiating from other systems, or internal system-generated transactions. These records will support daily accounting transactions in the FTC's core financial accounting system. The contractor must provide reconciled transaction data with the FTC's Financial Management Office on a daily basis. The contractor must permit the audit of fee transaction and deposit data by FTC and other appropriate federal employees or contractors. All reports of fee transactions and deposits must be provided as an electronic spreadsheet. All transaction records must be maintained for not less than 6.5 years from the date of the transaction.

C-5.3.3.4. The contractor must make every effort to minimize any loss caused by the dishonest or fraudulent acts of its full and/or part-time employees. At a minimum, the contractor must obtain an employee dishonesty bond that provides sufficient coverage and protection in an amount which equals at least one-hundred percent of the principal amount of annual user fees anticipated to be collected under this contract. The surety on the bond must represent and warrant that it holds a Federal Certificate of Authority as Accepted Surety On Federal Bond and Reinsuring under, and in full compliance with, 31 U.S.C. 9304 and 9308 and Treasury Circular 570. The bond must apply to all employees performing services related to this contract. The bond must cover errors and omissions, as well as employee dishonesty.

**C-5.3.4. Sub-Task 2-4: Provide Telemarketers and Sellers Access to Appropriate Data.**

After ensuring that the telemarketer or seller has paid the appropriate fee for access to the national registry data, the contractor must allow the telemarketer or seller to access and download only the telephone numbers of registered consumers from those areas of the country for which the telemarketer or seller has paid, either for itself or on behalf of any clients, the appropriate fee to gain access.

C-5.3.4.1. After their first visit to the website, the contractor must allow telemarketers and sellers to access and download, at their request, either all of the registered telephone numbers for their requested areas of the country, or only those changes to the registered telephone numbers (through either additions or deletions) that have been made to that portion of the database since the previous time the telemarketer or seller accessed the registry.

C-5.3.4.2. The contractor must never allow telemarketers or sellers to gain access to any other information in the national registry, other than the telephone numbers of registered consumers in those areas of the country for which the telemarketer or seller has requested information and paid the appropriate fee.

C-5.3.4.3. The contractor must allow telemarketers and sellers, after providing proper application and payment information, to query the website, for their requested areas of the country, with one single telephone number or with a small group of telephone numbers (less than ten) at a time. The contractor may limit the total number of such single queries to 100 or fewer during any individual website session.

**C-5.3.5. Sub-Task 2-5: Provide Assistance to Telemarketers and Sellers.** The contractor must ensure that it resolves, in a timely manner, any problems telemarketers or sellers experience in accessing or downloading the national registry data, or in paying the appropriate fee for such access. The contractor may resolve such problems through email correspondence clearly offered in the website created by the contractor to provide telemarketers and sellers access to the national registry data.

C-5.3.5.1. The contractor must maintain, for a period of two years from the date created, a record of all such requests for assistance, the date and time they were received, the response provided by the contractor, and the date and time of the response.

**C-5.3.6. Sub-Task 2-6: Maintain Information and Provide Reports and Access to Telemarketer and Seller Information.** The contractor must maintain and report on all information obtained from telemarketers and sellers who gain access to the national registry.

C-5.3.6.1. The contractor must maintain, in a searchable format, for a period of five years from the date it was obtained, all application and payment information obtained from telemarketers and sellers, as well as the date, time and amount of information (i.e., area codes of data) obtained during each telemarketer or seller visit to the national registry website.

C-5.3.6.2. The contractor must provide periodic reports, sent via email in XML Format, to the COTR or any FTC personnel designated by the COTR, concerning telemarketer and seller access to the national registry. At a minimum, the reports must include the following:

C-5.3.6.3. Weekly access status reports. The contractor must provide, before noon Eastern Standard Time on the first work day of every week, a report indicating the following: (1) the total number of telemarketers and sellers who accessed the national registry for the first time, and obtained a certification, during the previous week; (2) the total number of telemarketers and sellers who accessed the national registry for the first time, and obtained a certification, since the initiation of the registry; (3) the total number of telemarketers and sellers that already had a certification (obtained at any time) who made a subsequent visit to the registry the previous week; and (4) the total number of telemarketers and sellers that already had a certification (obtained at any time) who made a subsequent visit to the registry since the initiation of the registry. This weekly access status report must also include the average number of area codes of data to which the telemarketers and sellers have been provided access, the total amount of fees paid in the previous week and previous year, and the average fee paid by each telemarketer and seller, during both the previous week, the previous year, and since the initiation of the registry. Finally, the weekly access status report must include the number of telemarketers and sellers that requested assistance in accessing or downloading the national registry data, or in paying the appropriate fee for such access, during the previous week.

C-5.3.6.4. Other reports. The contractor must provide, at the COTR's request, other reports concerning telemarketer and seller access to the national registry and the payment of fees, as well as the contractor's performance of the requirements of this contract.

C-5.3.6.5. The contractor must provide the FTC with a weekly copy of the telemarketer and seller application data set, which the contractor can send either via electronic media (CD) or through an electronic transaction. If via CD, data must be in an XML formatted form. If via electronic transaction, the contractor must follow the process steps described in Section C-5.2.6.7. Telemarketer and seller application information data will be in the format described in Table 2 below.

Name	Attribute	Comments
created_date	DATE NOT NULL	The date that this record was created.
state_code	VARCHAR2(5)	A code which uniquely identifies a State such as VA.
country_code	VARCHAR2(3)	A code which uniquely identifies a country such as USA.
lname	VARCHAR2(25)	The company's contact last name.
fname	VARCHAR2(20)	The company's contact first name.
org_name	VARCHAR2(60)	The name of the company.
address_1	VARCHAR2(35)	The first line of the company address.
address_2	VARCHAR2(35)	The second line of the company address.
city	VARCHAR2(30)	The city portion of the address.
zip	VARCHAR2(10)	The zip code.
work_phone_cntry_code	VARCHAR2(5)	The country code of company's telephone number.
business_area_code	VARCHAR2(5)	The company's telephone number area code.
business_exchange	VARCHAR2(7)	The company's telephone number exchange.
business_phone_number	VARCHAR2(8)	The last four digits of the company's telephone number.
business_extension	VARCHAR2(4)	The company's telephone number extension.
area_code_utilized	VARCHAR2(5)	Area code(s) of area marketed by company or for client.
email	VARCHAR2(240)	The email address of the company.
updated_date	DATE	The last date that this record was updated.

Table 2. Telemarketer Application Data Definition

**C-5.4. Task Three: Law Enforcement Access to the Registry.** The contractor must develop and provide a system that allows appropriate FTC, State, and other law enforcement personnel access to appropriate consumer registration and telemarketer/seller access information maintained in the national registry. The contractor must accept credentials from the FTC authorization server to allow approved users of FTC's internal systems to gain access to such information. Each transaction must be recorded and the data made available for audit purposes.

**C-5.4.1. Sub-Task 3-1: Develop System to Provide Law Enforcement Access.** The contractor must develop and provide a secure, user-friendly system dedicated solely to the purpose of allowing appropriate FTC, State, and other law enforcement personnel access to both the consumer registration information and telemarketer/seller access information included in the registry. Access will occur only

after authentication at the FTC's Consumer Sentinel® website. DNS binding or an equivalent method will be utilized to mimic Consumer Sentinel interactions.

C-5.4.1.1. The FTC currently operates a secure Internet website called Consumer Sentinel®, which provides law enforcement personnel access to a large consumer complaint database, as well as a host of other information. Access to the Consumer Sentinel® site is limited to law enforcement personnel who have applied to the FTC and have been provided a user ID and password. The communication between the FTC and registered law enforcement users relies on digital certificates to encrypt data using SSL technology. The SSL security protocol is the industry standard method for protecting web communications and provides data encryption, server authentication, file integrity, and client authentication.

C-5.4.1.2. The FTC anticipates that, to gain access to the system developed by the contractor under this PWS, law enforcement personnel will first have to pass through the Consumer Sentinel® firewall. Thus, the contractor need not develop its own screening mechanism to allow law enforcement access to this website. The contractor must, however, ensure that no other unauthorized access to the system is permitted.

**C-5.4.2. Sub-Task 3-2: Provide Law Enforcement Access to Appropriate Data.** The contractor must develop and provide an interactive system that allows law enforcement personnel to query and obtain appropriate registry information that includes the following:

C-5.4.2.1. Law enforcement personnel must be able to determine if and when a particular telephone number has been registered by a consumer (and the period of time when the registration was valid).

C-5.4.2.2. Law enforcement personnel must also be able to determine if and when a particular telemarketer or seller had accessed the registry, as well as the scope of the data that the telemarketer or seller accessed. The system must allow law enforcement queries to the telemarketer/seller access information based on the telemarketer's or seller's name, address, city and or State. In addition, the system must allow law enforcement personnel to determine all of the telemarketers or sellers who have obtained access to the telephone numbers in the registry for any particular area code or range of area codes, and when such access was exercised.

C-5.4.2.3. The contractor must obtain the FTC's approval of the design, content and functionality of the system developed under Task Three prior to deployment.



**C-5.5. Task Four: Consumer Complaint Processing.** The contractor must provide a system to gather consumer complaint information concerning alleged do-not-call violations automatically over the telephone and over the Internet, and to transfer that information to the FTC.

**C-5.5.1. Sub-Task 4-1: Gather Consumer Complaint Information.** The contractor must develop a system, as part of its consumer telephone and Internet registration systems, that accepts consumer complaints concerning alleged do-not-call violations.

C-5.5.1.1. While the consumer is submitting his or her complaint, the contractor's system must determine three factors: (1) the consumer had properly registered his or her telephone number; (2) the telephone number had been registered for the appropriate period of time for the alleged complaint to be valid; and (3) the consumer knows the name and/or telephone number of the company that called him or her. If any of these three factors is negative, the complaint is considered invalid. For all such invalid complaints, the system must explain to the consumer the reasons why the complaint is invalid, and not accept the complaint. (However, the contractor must keep information on the number of such invalid complaints received, and the reasons why the complaint was deemed invalid, and provide that information to the FTC upon request.) At the same time, if it is determined that the consumer's telephone number is not registered, the system must offer the consumer the opportunity to register.

C-5.5.1.2. For all valid complaints, the system would be required to obtain the following information from the consumer, and nothing more: (1) the consumer's name, address and telephone number (which can be obtained from a national database lookup, or directly from the consumer, depending on which method is most cost effective); (2) the name and/or telephone number of the company that called the consumer (whichever the consumer can remember); and (3) the date and time of the call (if the consumer can remember). In collecting this complaint information, the system must also provide consumers with a privacy notice and/or other disclosures prescribed by the FTC before the system collects the complaint information from consumers. This information should be gathered from the consumer automatically, without a live operator involvement.

C-5.5.1.3. Given the limited amount of information that is to be collected during a consumer complaint call, the FTC anticipates that such calls can be processed in a short period of time; at most, the calls should be processed in less than three minutes. No verification of consumer information is necessary for either telephone or Internet complaints.

C-5.5.1.4. The FTC cannot predict the number of consumer complaints it may receive concerning alleged do-not-call violations. Some States report receiving very few consumer complaints, while another State reported receiving complaints from approximately two percent of all consumers in that

State's registry. The contractor's system must have the flexibility to handle at least that potential volume of consumer complaints.

**C-5.5.2. Sub-Task 4-2: Transfer Consumer Complaint Information to the FTC.** The contractor must develop a system that transfers all valid processed consumer complaints to the FTC in a format that is compatible with the FTC's Consumer Sentinel® system. *See* Sections C-5.2.6.7 and C-5.3.6.5.

C-5.5.2.1. All valid processed consumer complaints must be transferred to the FTC no later than five business days following the date that the complaint is received. Consumer complaints should be transferred to the FTC on a daily basis using the XML transaction processes described in C-5.2.6.7 and C-5.3.6.5. Data definitions will be analogous to those in Sections C-5.2.2.1 and C-5.3.6.5.

C-5.5.2.2. The contractor must obtain the FTC's approval of the design, content and functionality of the consumer complaint system developed under Task 4 prior to deployment.

## **Content of Proposals - Amendment Two to Performance Work Statement**

1. Proposals submitted in response to Amendment Two to the Performance Work Statement (“PWS”) for a National Do-Not-Call Registry must include two separate sections: a revised Technical Proposal and a revised Cost Proposal. As part of the revised Technical Proposal, offerors must submit revised Responses to Specific Tasks. Offerors may submit a revised General Overview, if the amendment to the PWS alters the offerors’ original General Overview. There is no need for offerors to submit a revised Quality Control Plan or Past Performance information – those sections of the offerors’ original proposals are sufficient.
2. In the revised Responses to Specific Tasks, offerors must set forth a detailed description of their approaches to performing each of the specific tasks set forth in the Second Amended PWS, Section C-5. The descriptions must be numbered using the same paragraph and Task numbers used in the Amended PWS. In their descriptions, offerors must also address how they will meet the performance requirements set forth in Second Amended Technical Exhibit One.
3. In submitting their revised Responses to Specific Tasks, offerors are advised to consider the FTC’s Answers to Vendors’ Questions, distributed with Amendment One to the PWS on August 23, 2002, as well as the discussions held and written questions distributed by the FTC during the week of October 28, 2002. Offerors should submit a complete Response to Specific Tasks, although they may reuse sections previously submitted to the FTC that were unaffected by the questions, discussions, or amendments to the PWS.
4. In addition, in their revised Responses to Specific Tasks, offerors must include information responsive to the following particular issues:
  - Under Section C-5.2.1.2, offerors must set forth their recommended method to conduct a systematic, phased opening to the national registry;
  - Under Section C-5.2.2, offerors must set forth their recommended method for data transfers from the States and the DMA, consistent with the procedures prescribed in paragraph C-5.2.2.1;
  - Under Section C-5.2.4.1, offerors must identify the verification procedure(s) they would use during consumer requests to confirm or alter their registration information; and
  - Under Section C-5.2.5, offerors must provide information concerning the scope of coverage of the information that can be obtained by the offeror to assist it in removing from the national registry those telephone numbers of consumers who have either moved to a new residence or whose telephone numbers have been disconnected. Offerors must also state the frequency with which they propose to remove telephone numbers from the national registry, and, as a result of these two factors, the ultimate

accuracy of the information in the national registry as time progresses, considering the fact that consumer registrations will remain active for five years.

5. Offerors must also submit a revised Cost Proposal, which should consist of a complete and signed copy of the pricing schedule set forth in Second Amended Technical Exhibit Two. Offerors must submit proposed prices for each of the following four separate parts for the Base Period, Option Years One through Four, and Award Terms One through Five:
  - Part One: offerors must set forth separate price quotations, across the range of workload units, for the performance of the “mandatory tasks for completing registration requests” (defined as all of Task One except for Sub-Task 1-2) first for those consumers who register via the telephone using a toll-free telephone number, and second, for those consumers who register via the Internet;
  - Part Two: offerors must set forth price quotations for completing Sub-Task 1-2 (integrate State and possibly DMA consumer registration information into the national registry) as a flat fee that will be paid for each such import or export of data from or to an individual State or the DMA;
  - Part Three: offerors must set forth price quotations for completing all of Task Two (provide telemarketer and seller access to the national registry) and all of Task Three (provide law enforcement access to the appropriate consumer registration and telemarketer/seller access information maintained in the national registry) as a flat monthly fee to be paid each month during the specified contract period; and
  - Part Four: offerors must set forth, across the range of workload units, separate price quotations for the performance of Task Four (processing consumer complaints) first for each consumer complaint processed over the telephone, and second, for each consumer complaint processed over the Internet.
6. The revised Technical Proposal and Cost Proposal may be submitted together in a sealed package and clearly marked with the solicitation number. Offerors must submit six copies of the revised Technical Proposal and Cost Proposal. Proposals must be delivered to the FTC, at the address noted in Block 9 of the Standard Form 1449, “Solicitation/ Order For Commercial Items,” via either overnight courier or hand delivery, rather than by regular mail.
7. Responses to Amendment Two to the PWS must be received no later **5:00 pm, Monday, December 9, 2002.**

**SECOND AMENDED TECHNICAL EXHIBIT ONE:  
PERFORMANCE REQUIREMENTS SUMMARY**

**Summary of Standards Applicable to Award Term Scope-of-Work Requirements**

Required Task	Performance Standard	Performance Requirement ("PR")	Surveillance Method	Maximum Payment Percentage for Meeting the PR
Respond to consumer registration telephone calls in a timely manner. (Sub-task 1-1)	Answer incoming calls without busy signals and within twenty seconds of the call being placed.	97%	Random sample of calls placed during normal business hours; consumer complaints.	70% of the payment in Part One of Technical Exhibit Two.
Maintain accurate consumer registration information. (Sub-task 1-3)	The consumer registration database may not contain incorrect information.	97%	Random sample of database entries; consumer complaints.	30% of the payment in Part One of Technical Exhibit Two.
Respond to telemarketer access requests in a timely manner. (Sub-tasks 2-1 to 2-4)	Provide immediate response to telemarketer access requests.	97%	Random sample; telemarketer complaints.	30% of the payment in Part Three of Technical Exhibit Two.
Respond to telemarketer access requests correctly. (Sub-task 2-4)	Provide correct information in response to telemarketer access requests.	97%	Telemarketer complaints.	30% of the payment in Part Three of Technical Exhibit Two.

Required Task	Performance Standard	Performance Requirement ("PR")	Surveillance Method	Maximum Payment Percentage for Meeting the PR
Provide timely assistance to telemarketers that experience problems accessing the national registry or paying the user fee. (Sub-task 2-5)	Resolve telemarketer assistance requests within two hours of receipt, for requests received during normal business hours, or for all others, within two hours after the start of normal business hours.	95%	Random sample of records of requests for assistance; telemarketer complaints.	5% of the payment in Part Three of Technical Exhibit Two.
Respond to law enforcement access requests in a timely manner. (Sub-tasks 3-1 and 3-2)	Provide immediate response to law enforcement access requests.	97%	Random sample; law enforcement complaints.	15% of the payment in Part Three of Technical Exhibit Two.
Respond to law enforcement access requests correctly. (Sub-task 3-2)	Provide correct information in response to law enforcement access requests.	97%	Law enforcement complaints.	15% of the payment in Part Three of Technical Exhibit Two.
Provide FTC with timely, accurate reports. (Sub-tasks 1-6 and 2-6)	Provide accurate reports to the FTC in a timely manner.	95%	Review reports and contact logs.	5% of the payment in Part Three of Technical Exhibit Two.

Required Task	Performance Standard	Performance Requirement ("PR")	Surveillance Method	Maximum Payment Percentage for Meeting the PR
Respond to consumer complaint telephone calls in a timely manner. (Sub-Task 4-1)	Answer incoming complaint calls without busy signals and within twenty seconds of the call being placed.	97%	Random sample of calls placed during normal business hours; consumer complaints.	45% of the payment in Part Four of Technical Exhibit Two.
Gather accurate consumer complaint information over both the telephone and Internet. (Sub-Task 4-1)	"Valid processed consumer complaints" may not contain incorrect information; the determination that a complaint is "invalid" must be correct.	97%	Random sample of consumer complaint information gathered by the contractor.	45% of the payment in Part Four of Technical Exhibit Two.
Transfer consumer complaint information gathered over both the telephone and the Internet to the FTC in a timely manner. (Sub-Task 4-2)	All "valid processed consumer complaints" must be transferred to the FTC no later than five business days following the date the complaint is received.	95%	Random sample of consumer complaint information gathered by the contractor; review of transfer logs.	10% of the payment in Part Four of Technical Exhibit Two.

GOVERNMENT QUALITY ASSURANCE: Contractor performance will be monitored to determine if it meets the contract standards as set forth above. A variety of methods may be used, including the following: (1) statistical random sampling of recurring service outputs using a statistically based sampling procedure; (2) one-hundred percent inspection of the outcome; (3) periodic inspection of the processes or output; and (4) customer complaints.

**PERFORMANCE EVALUATION:** Performance of a service will be evaluated to determine whether or not it meets the performance requirements of the contract, as follows:

Satisfactory performance is defined as meeting the Performance Requirements for the tasks set forth above. If the contractor maintains a satisfactory performance in each of the tasks set forth above in a specific month, the FTC will pay the contractor 100 percent of the monthly contract maximum payment percentage for meeting the Performance Requirement for that particular service.

Excellent performance is defined as exceeding the Performance Requirements for the tasks set forth above. If the contractor maintains excellent performance in each of the tasks set forth above for eight months of the contract year, the COTR shall recommend extension of the contract for an additional year.

Unsatisfactory performance is defined as failing to meet the Performance Requirements for the tasks set forth above. If the contractor engages in unsatisfactory performance in any of the tasks set forth above in any calendar month, a deduction shall be made from the contract payment for that month. The deduction shall be computed as follows: The appropriate contract payment for that month, based on workload, is multiplied by the maximum payment percentage for the specific service to determine the maximum payment for satisfactory performance. This payment is multiplied by the percentage of the sample found satisfactory to determine the percentage of the contract price that the contractor will be paid for the specific service.

When a performance requirement is not met, the contracting officer will issue a Contract Discrepancy Report (“CDR”) to the contractor. Upon evaluation of the contractor’s response to a CDR for tasks surveilled by random sampling or 100 percent inspection, the contractor’s payment for the month in which the performance in question occurred will be calculated as stated above. The contractor must respond to the CDR and return it to the contracting officer within five (5) business days of receipt. Any deductions from payment shall be taken from the payment for the month in which the contracting officer makes the determination that the deduction is appropriate, regardless of the period in which the performance occurred.



## SECOND AMENDED TECHNICAL EXHIBIT TWO: WORKLOAD ESTIMATES (UNIT PRICE QUOTES)

**Base Period: Date of contract award through September 30, 2003**

### PART ONE:

The “mandatory tasks for completing registration requests” include all of Task One (§§ C-5.2 through C-5.2.6.7), except for Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4), which is to be priced separately below.

The contractor must price the tasks listed below as a rate for **each “completed registration request”** received within each workload unit. The contractor must submit monthly invoices, and will be paid on a monthly basis for the total number of “completed registration requests” processed in the given month during the Base Period either via the telephone or via the Internet, multiplied by the appropriate per call rate quoted below.

	<b>Up to 10 million “completed registration requests” during Base Period</b>	<b>10 to 30 million “completed registration requests” during Base Period</b>	<b>30 to 50 million “completed registration requests” during Base Period</b>	<b>Over 50 million “completed registration requests” during Base Period</b>
Mandatory tasks for completing registration requests, using a toll-free telephone number.				
Mandatory tasks for completing registration requests, using the Internet.				

## **PART TWO:**

The contractor must submit two separate price quotations for completing the mandatory tasks of integrating State and possibly DMA consumer registration data into the national do-not-call registry, as set forth in Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4). The contractor must price these tasks as two separate **flat, transactional fees**.

(1) The fee for each initial import of data from an individual State or the DMA: \_\_\_\_\_.

(2) The fee for each subsequent import or export of data from or to an individual State or the DMA, after the initial import of data from that State or the DMA is completed: \_\_\_\_\_.

## **PART THREE:**

The contractor must submit a price for completing the following mandatory tasks of providing telemarketer and law enforcement access to the national registry: all of Task Two (§§ C-5.3 through C-5.3.6.5) and all of Task Three (§§ C-5.4 through C-5.4.2.3). The contractor must price these tasks as a **flat monthly fee** to be paid each month during the Base Period. (During the Base Period, this fee will be paid after the first month during which telemarketers have access to the national registry.)

Monthly fee for performing these tasks: \_\_\_\_\_.

**PART FOUR:**

The contractor must price the tasks listed below as a rate for **each “valid processed consumer complaint”** within each workload unit, processed according to the requirements of Task Four (§§ C-5.5 through C-5.5.2.2). The contractor will be paid on a monthly basis for the total number of “valid processed consumer complaints,” processed either over the telephone or the Internet in the given month during the Base Period, multiplied by the appropriate per complaint rate quoted below.

	<b>1 to 25,000 “valid processed consumer complaints” during Base Period</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Base Period</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Base Period</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Base Period</b>	<b>Over 500,000 “valid processed consumer complaints” during Base Period</b>
Price per valid complaint processed over the telephone					
Price per valid complaint processed over the Internet.					

## SECOND AMENDED TECHNICAL EXHIBIT TWO: WORKLOAD ESTIMATES (UNIT PRICE QUOTES)

Option Year One: October 1, 2003 through September 30, 2004

### PART ONE:

The “mandatory tasks for completing registration requests” include all of Task One (§§ C-5.2 through C-5.2.6.7), except for Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4), which is to be priced separately below.

The contractor must price the tasks listed below as a rate for **each “completed registration request”** received within each workload unit. The contractor must submit monthly invoices, and will be paid on a monthly basis for the total number of “completed registration requests” processed in the given month during Option Year One either via the telephone or via the Internet, multiplied by the appropriate per call rate quoted below.

	Up to 10 million “completed registration requests” during Option Year One	10 to 30 million “completed registration requests” during Option Year One	30 to 50 million “completed registration requests” during Option Year One	Over 50 million “completed registration requests” during Option Year One
Mandatory tasks for completing registration requests, using a toll-free telephone number.				
Mandatory tasks for completing registration requests, using the Internet.				

## **PART TWO:**

The contractor must submit two separate price quotations for completing the mandatory tasks of integrating State and possibly DMA consumer registration data into the national do-not-call registry, as set forth in Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4). The contractor must price these tasks as two separate **flat, transactional fees**.

(1) The fee for each initial import of data from an individual State or the DMA: \_\_\_\_\_.

(2) The fee for each subsequent import or export of data from or to an individual State or the DMA, after the initial import of data from that State or the DMA is completed: \_\_\_\_\_.

## **PART THREE:**

The contractor must submit a price for completing the following mandatory tasks of providing telemarketer and law enforcement access to the national registry: all of Task Two (§§ C-5.3 through C-5.3.6.5) and all of Task Three (§§ C-5.4 through C-5.4.2.3). The contractor must price these tasks as a **flat monthly fee** to be paid each month during Option Year One.

Monthly fee for performing these tasks: \_\_\_\_\_.

**PART FOUR:**

The contractor must price the tasks listed below as a rate for **each “valid processed consumer complaint”** within each workload unit, processed according to the requirements of Task Four (§§ C-5.5 through C-5.5.2.2). The contractor will be paid on a monthly basis for the total number of “valid processed consumer complaints,” processed either over the telephone or the Internet in the given month during Option Year One, multiplied by the appropriate per complaint rate quoted below.

	<b>1 to 25,000 “valid processed consumer complaints” during Option Year One</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Option Year One</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Option Year One</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Option Year One</b>	<b>Over 500,000 “valid processed consumer complaints” during Option Year One</b>
Price per valid complaint processed over the telephone					
Price per valid complaint processed over the Internet.					

**SECOND AMENDED TECHNICAL EXHIBIT TWO: WORKLOAD ESTIMATES (UNIT PRICE QUOTES)**

**Option Year Two: October 1, 2004 through September 30, 2005**

**PART ONE:**

The “mandatory tasks for completing registration requests” include all of Task One (§§ C-5.2 through C-5.2.6.7), except for Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4), which is to be priced separately below.

The contractor must price the tasks listed below as a rate for **each “completed registration request”** received within each workload unit. The contractor must submit monthly invoices, and will be paid on a monthly basis for the total number of “completed registration requests” processed in the given month during Option Year Two either via the telephone or via the Internet, multiplied by the appropriate per call rate quoted below.

	<b>Up to 10 million “completed registration requests” during Option Year Two</b>	<b>10 to 30 million “completed registration requests” during Option Year Two</b>	<b>30 to 50 million “completed registration requests” during Option Year Two</b>	<b>Over 50 million “completed registration requests” during Option Year Two</b>
Mandatory tasks for completing registration requests, using a toll-free telephone number.				
Mandatory tasks for completing registration requests, using the Internet.				

## **PART TWO:**

The contractor must submit two separate price quotations for completing the mandatory tasks of integrating State and possibly DMA consumer registration data into the national do-not-call registry, as set forth in Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4). The contractor must price these tasks as two separate **flat, transactional fees**.

(1) The fee for each initial import of data from an individual State or the DMA: \_\_\_\_\_.

(2) The fee for each subsequent import or export of data from or to an individual State or the DMA, after the initial import of data from that State or the DMA is completed: \_\_\_\_\_.

## **PART THREE:**

The contractor must submit a price for completing the following mandatory tasks of providing telemarketer and law enforcement access to the national registry: all of Task Two (§§ C-5.3 through C-5.3.6.5) and all of Task Three (§§ C-5.4 through C-5.4.2.3). The contractor must price these tasks as a **flat monthly fee** to be paid each month during Option Year Two.

Monthly fee for performing these tasks: \_\_\_\_\_.



**PART FOUR:**

The contractor must price the tasks listed below as a rate for **each “valid processed consumer complaint”** within each workload unit, processed according to the requirements of Task Four (§§ C-5.5 through C-5.5.2.2). The contractor will be paid on a monthly basis for the total number of “valid processed consumer complaints,” processed either over the telephone or the Internet in the given month during Option Year Two, multiplied by the appropriate per complaint rate quoted below.

	<b>1 to 25,000 “valid processed consumer complaints” during Option Year Two</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Option Year Two</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Option Year Two</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Option Year Two</b>	<b>Over 500,000 “valid processed consumer complaints” during Option Year Two</b>
Price per valid complaint processed over the telephone					
Price per valid complaint processed over the Internet.					

## SECOND AMENDED TECHNICAL EXHIBIT TWO: WORKLOAD ESTIMATES (UNIT PRICE QUOTES)

Option Year Three: October 1, 2005 through September 30, 2006

### PART ONE:

The “mandatory tasks for completing registration requests” include all of Task One (§§ C-5.2 through C-5.2.6.7), except for Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4), which is to be priced separately below.

The contractor must price the tasks listed below as a rate for **each “completed registration request”** received within each workload unit. The contractor must submit monthly invoices, and will be paid on a monthly basis for the total number of “completed registration requests” processed in the given month during Option Year Three either via the telephone or via the Internet, multiplied by the appropriate per call rate quoted below.

	Up to 10 million “completed registration requests” during Option Year 3	10 to 30 million “completed registration requests” during Option Year 3	30 to 50 million “completed registration requests” during Option Year 3	Over 50 million “completed registration requests” during Option Year 3
Mandatory tasks for completing registration requests, using a toll-free telephone number.				
Mandatory tasks for completing registration requests, using the Internet.				

## **PART TWO:**

The contractor must submit two separate price quotations for completing the mandatory tasks of integrating State and possibly DMA consumer registration data into the national do-not-call registry, as set forth in Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4). The contractor must price these tasks as two separate **flat, transactional fees**.

(1) The fee for each initial import of data from an individual State or the DMA: \_\_\_\_\_.

(2) The fee for each subsequent import or export of data from or to an individual State or the DMA, after the initial import of data from that State or the DMA is completed: \_\_\_\_\_.

## **PART THREE:**

The contractor must submit a price for completing the following mandatory tasks of providing telemarketer and law enforcement access to the national registry: all of Task Two (§§ C-5.3 through C-5.3.6.5) and all of Task Three (§§ C-5.4 through C-5.4.2.3). The contractor must price these tasks as a **flat monthly fee** to be paid each month during Option Year Three.

Monthly fee for performing these tasks: \_\_\_\_\_.

**PART FOUR:**

The contractor must price the tasks listed below as a rate for **each “valid processed consumer complaint”** within each workload unit, processed according to the requirements of Task Four (§§ C-5.5 through C-5.5.2.2). The contractor will be paid on a monthly basis for the total number of “valid processed consumer complaints,” processed either over the telephone or the Internet in the given month during Option Year Three, multiplied by the appropriate per complaint rate quoted below.

	<b>1 to 25,000 “valid processed consumer complaints” during Option Year Three</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Option Year Three</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Option Year Three</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Option Year Three</b>	<b>Over 500,000 “valid processed consumer complaints” during Option Year Three</b>
Price per valid complaint processed over the telephone					
Price per valid complaint processed over the Internet.					

## SECOND AMENDED TECHNICAL EXHIBIT TWO: WORKLOAD ESTIMATES (UNIT PRICE QUOTES)

Option Year Four: October 1, 2006 through September 30, 2007

### PART ONE:

The “mandatory tasks for completing registration requests” include all of Task One (§§ C-5.2 through C-5.2.6.7), except for Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4), which is to be priced separately below.

The contractor must price the tasks listed below as a rate for **each “completed registration request”** received within each workload unit. The contractor must submit monthly invoices, and will be paid on a monthly basis for the total number of “completed registration requests” processed in the given month during Option Year Four either via the telephone or via the Internet, multiplied by the appropriate per call rate quoted below.

	Up to 10 million “completed registration requests” during Option Year Four	10 to 30 million “completed registration requests” during Option Year Four	30 to 50 million “completed registration requests” during Option Year Four	Over 50 million “completed registration requests” during Option Year Four
Mandatory tasks for completing registration requests, using a toll-free telephone number.				
Mandatory tasks for completing registration requests, using the Internet.				

### PART TWO:

Sub-Task 1-2 will no longer be required after the end of Option Year Three.

### **PART THREE:**

The contractor must submit a price for completing the following mandatory tasks of providing telemarketer and law enforcement access to the national registry: all of Task Two (§§ C-5.3 through C-5.3.6.5) and all of Task Three (§§ C-5.4 through C-5.4.2.3). The contractor must price these tasks as a **flat monthly fee** to be paid each month during Option Year Four.

Monthly fee for performing these tasks: \_\_\_\_\_.

### **PART FOUR:**

The contractor must price the tasks listed below as a rate for **each “valid processed consumer complaint”** within each workload unit, processed according to the requirements of Task Four (§§ C-5.5 through C-5.5.2.2). The contractor will be paid on a monthly basis for the total number of “valid processed consumer complaints,” processed either over the telephone or the Internet in the given month during Option Year Four, multiplied by the appropriate per complaint rate quoted below.

	<b>1 to 25,000 “valid processed consumer complaints” during Option Year Four</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Option Year Four</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Option Year Four</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Option Year Four</b>	<b>Over 500,000 “valid processed consumer complaints” during Option Year Four</b>
Price per valid complaint processed over the telephone					

	<b>1 to 25,000 “valid processed consumer complaints” during Option Year Four</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Option Year Four</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Option Year Four</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Option Year Four</b>	<b>Over 500,000 “valid processed consumer complaints” during Option Year Four</b>
Price per valid complaint processed over the Internet.					

## SECOND AMENDED TECHNICAL EXHIBIT TWO: WORKLOAD ESTIMATES (UNIT PRICE QUOTES)

**Award Term One: October 1, 2007 through September 30, 2008**

### PART ONE:

The “mandatory tasks for completing registration requests” include all of Task One (§§ C-5.2 through C-5.2.6.7), except for Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4), which is to be priced separately below.

The contractor must price the tasks listed below as a rate for **each “completed registration request”** received within each workload unit. The contractor must submit monthly invoices, and will be paid on a monthly basis for the total number of “completed registration requests” processed in the given month during Award Term One either via the telephone or via the Internet, multiplied by the appropriate per call rate quoted below.

	<b>Up to 10 million “completed registration requests” during Award Term One</b>	<b>10 to 30 million “completed registration requests” during Award Term One</b>	<b>30 to 50 million “completed registration requests” during Award Term One</b>	<b>Over 50 million “completed registration requests” during Award Term One</b>
Mandatory tasks for completing registration requests, using a toll-free telephone number.				
Mandatory tasks for completing registration requests, using the Internet.				

### PART TWO:



Sub-Task 1-2 will no longer be required after the end of Option Year Three.

### **PART THREE:**

The contractor must submit a price for completing the following mandatory tasks of providing telemarketer and law enforcement access to the national registry: all of Task Two (§§ C-5.3 through C-5.3.6.5) and all of Task Three (§§ C-5.4 through C-5.4.2.3). The contractor must price these tasks as a **flat monthly fee** to be paid each month during Award Term One.

Monthly fee for performing these tasks: \_\_\_\_\_.

### **PART FOUR:**

The contractor must price the tasks listed below as a rate for **each “valid processed consumer complaint”** within each workload unit, processed according to the requirements of Task Four (§§ C-5.5 through C-5.5.2.2). The contractor will be paid on a monthly basis for the total number of “valid processed consumer complaints,” processed either over the telephone or the Internet in the given month during Award Term One, multiplied by the appropriate per complaint rate quoted below.

	<b>1 to 25,000 “valid processed consumer complaints” during Award Term One</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Award Term One</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Award Term One</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Award Term One</b>	<b>Over 500,000 “valid processed consumer complaints” during Award Term One</b>
Price per valid complaint processed over the telephone					

	<b>1 to 25,000 “valid processed consumer complaints” during Award Term One</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Award Term One</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Award Term One</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Award Term One</b>	<b>Over 500,000 “valid processed consumer complaints” during Award Term One</b>
Price per valid complaint processed over the Internet.					

## SECOND AMENDED TECHNICAL EXHIBIT TWO: WORKLOAD ESTIMATES (UNIT PRICE QUOTES)

**Award Term Two: October 1, 2008 through September 30, 2009**

### PART ONE:

The “mandatory tasks for completing registration requests” include all of Task One (§§ C-5.2 through C-5.2.6.7), except for Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4), which is to be priced separately below.

The contractor must price the tasks listed below as a rate for **each “completed registration request”** received within each workload unit. The contractor must submit monthly invoices, and will be paid on a monthly basis for the total number of “completed registration requests” processed in the given month during Award Term Two either via the telephone or via the Internet, multiplied by the appropriate per call rate quoted below.

	Up to 10 million “completed registration requests” during Award Term Two	10 to 30 million “completed registration requests” during Award Term Two	30 to 50 million “completed registration requests” during Award Term Two	Over 50 million “completed registration requests” during Award Term Two
Mandatory tasks for completing registration requests, using a toll-free telephone number.				
Mandatory tasks for completing registration requests, using the Internet.				

### PART TWO:

Sub-Task 1-2 will no longer be required after the end of Option Year Three.

### **PART THREE:**

The contractor must submit a price for completing the following mandatory tasks of providing telemarketer and law enforcement access to the national registry: all of Task Two (§§ C-5.3 through C-5.3.6.5) and all of Task Three (§§ C-5.4 through C-5.4.2.3). The contractor must price these tasks as a **flat monthly fee** to be paid each month during Award Term Two.

Monthly fee for performing these tasks: \_\_\_\_\_.

### **PART FOUR:**

The contractor must price the tasks listed below as a rate for **each “valid processed consumer complaint”** within each workload unit, processed according to the requirements of Task Four (§§ C-5.5 through C-5.5.2.2). The contractor will be paid on a monthly basis for the total number of “valid processed consumer complaints,” processed either over the telephone or the Internet in the given month during Award Term Two, multiplied by the appropriate per complaint rate quoted below.

	<b>1 to 25,000 “valid processed consumer complaints” during Award Term Two</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Award Term Two</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Award Term Two</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Award Term Two</b>	<b>Over 500,000 “valid processed consumer complaints” during Award Term Two</b>
Price per valid complaint processed over the telephone					

	<b>1 to 25,000 “valid processed consumer complaints” during Award Term Two</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Award Term Two</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Award Term Two</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Award Term Two</b>	<b>Over 500,000 “valid processed consumer complaints” during Award Term Two</b>
Price per valid complaint processed over the Internet.					

## SECOND AMENDED TECHNICAL EXHIBIT TWO: WORKLOAD ESTIMATES (UNIT PRICE QUOTES)

Award Term Three: October 1, 2009 through September 30, 2010

### PART ONE:

The “mandatory tasks for completing registration requests” include all of Task One (§§ C-5.2 through C-5.2.6.7), except for Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4), which is to be priced separately below.

The contractor must price the tasks listed below as a rate for **each “completed registration request”** received within each workload unit. The contractor must submit monthly invoices, and will be paid on a monthly basis for the total number of “completed registration requests” processed in the given month during Award Term Three either via the telephone or via the Internet, multiplied by the appropriate per call rate quoted below.

	Up to 10 million “completed registration requests” during Award Term 3	10 to 30 million “completed registration requests” during Award Term 3	30 to 50 million “completed registration requests” during Award Term 3	Over 50 million “completed registration requests” during Award Term 3
Mandatory tasks for completing registration requests, using a toll-free telephone number.				
Mandatory tasks for completing registration requests, using the Internet.				

### PART TWO:

Sub-Task 1-2 will no longer be required after the end of Option Year Three.

### **PART THREE:**

The contractor must submit a price for completing the following mandatory tasks of providing telemarketer and law enforcement access to the national registry: all of Task Two (§§ C-5.3 through C-5.3.6.5) and all of Task Three (§§ C-5.4 through C-5.4.2.3). The contractor must price these tasks as a **flat monthly fee** to be paid each month during Award Term Three.

Monthly fee for performing these tasks: \_\_\_\_\_.

### **PART FOUR:**

The contractor must price the tasks listed below as a rate for **each “valid processed consumer complaint”** within each workload unit, processed according to the requirements of Task Four (§§ C-5.5 through C-5.5.2.2). The contractor will be paid on a monthly basis for the total number of “valid processed consumer complaints,” processed either over the telephone or the Internet in the given month during Award Term Three, multiplied by the appropriate per complaint rate quoted below.

	<b>1 to 25,000 “valid processed consumer complaints” during Award Term Three</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Award Term Three</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Award Term Three</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Award Term Three</b>	<b>Over 500,000 “valid processed consumer complaints” during Award Term Three</b>
Price per valid complaint processed over the telephone					

	<b>1 to 25,000 “valid processed consumer complaints” during Award Term Three</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Award Term Three</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Award Term Three</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Award Term Three</b>	<b>Over 500,000 “valid processed consumer complaints” during Award Term Three</b>
Price per valid complaint processed over the Internet.					



## SECOND AMENDED TECHNICAL EXHIBIT TWO: WORKLOAD ESTIMATES (UNIT PRICE QUOTES)

**Award Term Four: October 1, 2010 through September 30, 2011**

### PART ONE:

The “mandatory tasks for completing registration requests” include all of Task One (§§ C-5.2 through C-5.2.6.7), except for Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4), which is to be priced separately below.

The contractor must price the tasks listed below as a rate for **each “completed registration request”** received within each workload unit. The contractor must submit monthly invoices, and will be paid on a monthly basis for the total number of “completed registration requests” processed in the given month during Award Term Four either via the telephone or via the Internet, multiplied by the appropriate per call rate quoted below.

	<b>Up to 10 million “completed registration requests” during Award Term Four</b>	<b>10 to 30 million “completed registration requests” during Award Term Four</b>	<b>30 to 50 million “completed registration requests” during Award Term Four</b>	<b>Over 50 million “completed registration requests” during Award Term Four</b>
Mandatory tasks for completing registration requests, using a toll-free telephone number.				
Mandatory tasks for completing registration requests, using the Internet.				

### PART TWO:

Sub-Task 1-2 will no longer be required after the end of Option Year Three.

### **PART THREE:**

The contractor must submit a price for completing the following mandatory tasks of providing telemarketer and law enforcement access to the national registry: all of Task Two (§§ C-5.3 through C-5.3.6.5) and all of Task Three (§§ C-5.4 through C-5.4.2.3). The contractor must price these tasks as a **flat monthly fee** to be paid each month during Award Term Four.

Monthly fee for performing these tasks: \_\_\_\_\_.

### **PART FOUR:**

The contractor must price the tasks listed below as a rate for **each “valid processed consumer complaint”** within each workload unit, processed according to the requirements of Task Four (§§ C-5.5 through C-5.5.2.2). The contractor will be paid on a monthly basis for the total number of “valid processed consumer complaints,” processed either over the telephone or the Internet in the given month during Award Term Four, multiplied by the appropriate per complaint rate quoted below.

	<b>1 to 25,000 “valid processed consumer complaints” during Award Term Four</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Award Term Four</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Award Term Four</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Award Term Four</b>	<b>Over 500,000 “valid processed consumer complaints” during Award Term Four</b>
Price per valid complaint processed over the telephone					

	<b>1 to 25,000 “valid processed consumer complaints” during Award Term Four</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Award Term Four</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Award Term Four</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Award Term Four</b>	<b>Over 500,000 “valid processed consumer complaints” during Award Term Four</b>
Price per valid complaint processed over the Internet.					

## SECOND AMENDED TECHNICAL EXHIBIT TWO: WORKLOAD ESTIMATES (UNIT PRICE QUOTES)

Award Term Five: October 1, 2011 through September 30, 2012

### PART ONE:

The “mandatory tasks for completing registration requests” include all of Task One (§§ C-5.2 through C-5.2.6.7), except for Sub-Task 1-2 (§§ C-5.2.2 through C-5.2.2.4), which is to be priced separately below.

The contractor must price the tasks listed below as a rate for **each “completed registration request”** received within each workload unit. The contractor must submit monthly invoices, and will be paid on a monthly basis for the total number of “completed registration requests” processed in the given month during Award Term Five either via the telephone or via the Internet, multiplied by the appropriate per call rate quoted below.

	Up to 10 million “completed registration requests” during Award Term Five	10 to 30 million “completed registration requests” during Award Term Five	30 to 50 million “completed registration requests” during Award Term Five	Over 50 million “completed registration requests” during Award Term Five
Mandatory tasks for completing registration requests, using a toll-free telephone number.				
Mandatory tasks for completing registration requests, using the Internet.				

### PART TWO:

Sub-Task 1-2 will no longer be required after the end of Option Year Three.

### **PART THREE:**

The contractor must submit a price for completing the following mandatory tasks of providing telemarketer and law enforcement access to the national registry: all of Task Two (§§ C-5.3 through C-5.3.6.5) and all of Task Three (§§ C-5.4 through C-5.4.2.3). The contractor must price these tasks as a **flat monthly fee** to be paid each month during Award Term Five.

Monthly fee for performing these tasks: \_\_\_\_\_.

### **PART FOUR:**

The contractor must price the tasks listed below as a rate for **each “valid processed consumer complaint”** within each workload unit, processed according to the requirements of Task Four (§§ C-5.5 through C-5.5.2.2). The contractor will be paid on a monthly basis for the total number of “valid processed consumer complaints,” processed either over the telephone or the Internet in the given month during Award Term Five, multiplied by the appropriate per complaint rate quoted below.

	<b>1 to 25,000 “valid processed consumer complaints” during Award Term Five</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Award Term Five</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Award Term Five</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Award Term Five</b>	<b>Over 500,000 “valid processed consumer complaints” during Award Term Five</b>
Price per valid complaint processed over the telephone					

	<b>1 to 25,000 “valid processed consumer complaints” during Award Term Five</b>	<b>25,001 to 50,000 “valid processed consumer complaints” during Award Term Five</b>	<b>50,001 to 200,000 “valid processed consumer complaints” during Award Term Five</b>	<b>200,001 to 500,000 “valid processed consumer complaints” during Award Term Five</b>	<b>Over 500,000 “valid processed consumer complaints” during Award Term Five</b>
Price per valid complaint processed over the Internet.					